THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 4270 OF 2007

DATED: 15-06-2007

Between :

S.Jagadeesh

… Petitioner

And

State Bank of India,
Rep., by Authorised Officer,
Hyderabad and another.

... Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 4270 OF 2007

ORDER :

This writ petition is filed seeking a declaration that the notice dated 08-02-2007 issued under Section 13(2) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'the Act'), which was published in Hindu Newspaper on
12-02-2007 so far as the petitioner's property at item No.6 is concerned, is arbitrary and illegal.

This Court, while directing notice to the respondents, by order, dated 16-03-2007, granted interim stay of dispossession of the petitioner from the property in question for a period of two weeks. The interim order expired long back and there was no further extension.

At any rate, since an efficacious alternative remedy is available under Section 17 of the Act, without exhausting the said remedy the petitioner cannot maintain this writ petition under Article 226 of the Constitution of India.

Accordingly, granting leave and liberty to the petitioner to work out the alternative remedy for redressal of his grievance, if any, this writ petition is dismissed. No costs.

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G. ROHINI, J.

Date 15-06-2007
KLP